

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	Criminal No. 1:18-cr-00083-TSE
)	
v.)	Judge T. S. Ellis, III
)	
PAUL J. MANAFORT, JR.,)	
)	
Defendant.)	

**DEFENDANT PAUL J. MANAFORT, JR.'S REPLY TO THE SPECIAL
COUNSEL'S OPPOSITION TO HIS MOTION TO DISMISS COUNT ELEVEN
OF THE SUPERSEDING INDICTMENT**

Defendant Paul J. Manafort, Jr., by and through counsel, submits his reply to the Special Counsel's opposition (Dkt. # 66) to his motion to dismiss Count Eleven of the Superseding Indictment (Dkt. #'s 41 & 42). The Special Counsel's response to the defendant's motion to dismiss indicates that the Special Counsel timely applied for, on an *ex parte* basis, and thereafter received, an order under 18 U.S.C. § 3292 suspending the running of the statute of limitations. (Dkt. # 66 at 2-3). The secret application by the Special Counsel was not disclosed to the defendant prior to moving to dismiss Count Eleven in the Superseding Indictment, nor was the district court's subsequent order. *Id.* at 4. Accordingly, with the Court's permission, the defendant will withdraw his *pretrial* motion to dismiss Count Eleven because of the newly disclosed information from the Special Counsel. The defendant expressly reserves all rights to challenge this particular count (and any other counts) in the Superseding Indictment in subsequent proceedings before this Court that were not required to be raised under Rule 12(b) of the Federal Rules

of Criminal Procedure, and/or for which the basis for such a motion was not reasonably available to the defendant to raise to the Court in a pretrial filing. *See* Fed. R. Crim. P. 12(b)(3), 12(c)(3).

Dated: May 21, 2018

Respectfully submitted,

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Counsel for Defendant Paul J. Manafort, Jr.

CERTIFICATE OF SERVICE

I hereby certify that on the 21st day of May, 2018, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

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